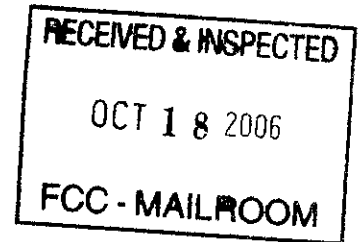


CC DOCKET NO. 02-6

REQUEST FOR REVIEW



DOCKET FILE COPY ORIGINAL

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

October 14, 2006

Please review the following E-Rate appeal for Cleora Public School, 451358 E 295 Road, Afton, Oklahoma 74331. The school district Billed Entity Number is 140129. The form 471 number the school district is appealing a decision on is 466824. The funding year in question is 2005 (July 1, 2005-June 30, 2006).

This appeal is in regards to a Schools and Libraries Decision dated August 15, 2006 in reference to a denial of a USAC Funding Year 2005 request. While we respect any decision that will be made in this issue, we feel that the SLD did not take into consideration all of the relevant issues in this funding request denial:

1. The only email received from the SLD in reference to Cleora Public Schools was dated February 8, 2006. This email dealt with a separate 471 application number than the one that has been appealed previously, and is in reference to in this appeal as well. The person from the PIA team that sent the email dated February 8, 2006 was Harold O'Neil. The 471 application number associated with this email is 471783.
2. The disputed 471 #466824 is associated with telecommunications (Internet access, phone circuits) only. No internal connections are associated with the dismissed 471.
3. The documentation that was sent in with the original 471 #466824 was the same documentation that had been sent in previous funding years (2002, 2003, 2004) and had been funded with no issues. The same documentation was sent in for Funding Year 2006 (July 1, 2006-June 30, 2007) and was approved. The district questions why the documentation was sufficient for previous years, and the current funding year, but not for Year 2005.
4. In the Administrator's Decision on Appeal letter from the SLD, it was noted that the school district did not have a FCC Registration Number. On our original appeal of 471 #466824, we made note of this registration number and when the school district obtained it. The district's registration number is 0011982592.

445 12th Street, SW
0011982592

Enclosed is a copy of the original appeal letter of May 2006 to the SLD, as well as a copy of the letter received from the SLD dated August 15, 2006 with the Administrator's Decision on Appeal.

If you have any further questions, please do not hesitate to contact me directly at the following address:

Cleora Public Schools
Darrell Hatfield
451358 E 295 Road
Afton, Oklahoma 74331-9801

Phone (918) 256-6401
Fax (918) 256-2128

Thank you for your consideration in this issue.

Cordially,

A handwritten signature in black ink, appearing to read 'Darrell Hatfield', with a stylized flourish at the end.

Darrell Hatfield

APPEAL LETTER

Cleora Public School
451358 E 295 Road
Afton, Oklahoma 74331-9801
918.256.6401 FAX 918.256.2128

Contact Person: Darrell Hatfield

This letter is an appeal of the funding decision of Form 471 application number 466824 for Cleora Public Schools (BEN# 140129) for funding year 2005 (July 1, 2005-June 30, 2006)

All Service providers associated with this particular 471 were denied due to the following:

“Applicant has not provided sufficient documentation to determine the eligibility of this item”

There are 4 service providers associated with this Form 471:

FRN 1283544	SPIN 143016556
FRN 1283548	SPIN 143004662
FRN 1283550	SPIN 143025254
FRN 1283563	SPIN 143004662

All 4 service providers are for providing telecommunications (Priority 1) services to the school district.

The first concern that the school district has is that no one with the school district has been contacted by the Schools and Libraries to see what, if any, documentation was missing from the Form 471 in question to ascertain what was needed. An email was sent out dated February 8, 2006 but it dealt with 471 application number 471783.

The second concern is that the documentation that was sent in with the Funding Year 2005 Form 471 is comparable to the documentation that was sent in Funding Years 2002, 2003, 2004, and 2006. All of these years were funded (2006 being in the first wave).

Finally, if this involves an issue of an FCC registration number; the school district has had one since October of 2004. The number is 0011982592.

Enclosed is the documentation that was submitted with the Form 471. This documentation is the Block 5, Item 21 attachments that was sent in.

Attachment #1 is associated with SPIN 143016556, for internet access
Attachment #2 is associated with SPIN 143004662, for telephone service
Attachment #3 is associated with SPIN 143025254, for cellular phone service
Attachment #4 is associated with SPIN 143004662, for a T-1 internet circuit.



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

August 15, 2006

Darrell Hatfield
Cleora Public School
451358 East 295 Road
Afton, OK 74331-9801

← Attention:

Re: Applicant Name: CLEORA PUBLIC SCHOOLS
Billed Entity Number: 140129
Form 471 Application Number: 466824
Funding Request Number(s): 1283544, 1283548, 1283550, 1283563
Your Correspondence Received: May 08, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1283544, 1283548, 1283550, 1283563
Decision on Appeal: Denied
Explanation:

- On appeal, you seek reversal of the SLD's decision to deny this funding request because of insufficient documentation. You state that no requests for information were received. You also assert that the requests are comparable to requests that were funded in other funding years. In support of your appeal, you provide the FCC registration number and the Item 21 documentation.
- Upon thorough review of the appeal letter and the relevant documentation, the SLD has determined that you failed to respond to the Program Integrity Assurance (PIA) inquiries in a timely manner. PIA made initial contact with you on February 15, 2006, via email (eratec@hatfields.net), requesting you to provide additional documentation on the requested services and the FCC Registration Number (FCC RN) for BEN 140129 within 7-days. No response was received.

PIA initiated a second request on February 23, 2006, via email, again requesting you to provide additional documentation on the requested services and the FCC Registration Number (FCC RN) for BEN 140129 within 7-days. As of March 3, 2006, you failed to provide a complete response to PIA. Per program rules, if there is insufficient documentation to determine the eligibility of an entity and service, the entity and service are deemed ineligible. You have failed to provide evidence on appeal that SLD erred in its original decision. Consequently, the appeal is denied.

- SLD reviews Form 471 applications and makes funding commitment decisions in compliance with FCC rules. See 47 C.F.R. § 54.500 *et. seq.* To conduct these reviews, SLD has put in place administrative measures to ensure the prompt resolution of applications. See *Request for Review by Marshall County School District, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 18 FCC Rcd. 4520, DA 03-764, ¶ 6 (rel. Mar. 13, 2003). (Marshall County) One such measure is that applicants are required to respond to SLD's requests for the additional information necessary to complete their application within 7 days of being contacted. *Id.*; SLD section of the USAC web site, Reference Area, "Deadline for Information Requests," www.sl.universalservice.org/reference/deadline.asp This procedure is necessary to prevent undue delays during the application review process. See *Marshall County* ¶ 6. If applicants do not respond within this time period, SLD reviews the application based on the information before it.

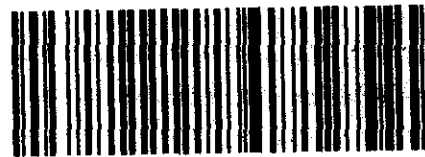
If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either USAC or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

From: DARRELL HATFIELD
CLEORA PUBLIC SCHOOL
451358 E 295. ROAD
AFTON, OKLAHOMA 74331

CERTIFIED MAIL™



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Sdr CLEORA PUBLIC SCHOOL

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RETURN RECEIPT
REQUESTED

To: FEDERAL COMMUNICATIONS COMMISSION

OFFICE OF THE SECRETARY

445 12th STREET, SW

Room TW-A325

WASHINGTON, DC 20554

Ready Post